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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,317	10/01/2003	Min Liu	MSI-1630US	6512

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EXAMINER

BRAUTIGAM, ALYSA N

ART UNIT PAPER NUMBER

2676

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/676,317

Applicant(s)

LIU ET AL.

Examiner

Alysa N. Brautigam

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 29 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 30-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 30-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 30-39 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

2. Applicant's arguments, see page 6, filed 29 July 2005, with respect to claims 35-38 have been fully considered and are persuasive. The 35 USC § 112 rejection of claims 35-38 has been withdrawn.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 30-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Turpin et al. (U.S. Patent Publication Number: 2003/0174882) in view of Beretta (U.S. Statutory Invention Registration Number: H1506).
5. In regards to claim 30, Turpin discloses a computer-accessible medium having one or more instructions that are executable by one or more processors (¶¶ 0073-0074; Figure 2), the one or more instructions causing the one or more processors to:

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- detect a color selected from a graphic user interface (GUI) color palette associated with an authoring environment (Figure 13; ¶¶ 0117-0119 discloses a selectable color palette);
- convert the component values to corresponding component values in a standardized reference color coordinate system (¶¶ 0126-127; in addition, it is very common in the art to convert from one color space to a device independent color space before converting to a third color space); and
- convert the component values in the standardized reference color coordinate system to corresponding component values in a receiver color coordinate system (¶ 0064).

While Turpin discloses the selection and conversion of the color space data, as well as one form of normalization of the color space data, Turpin does not specifically disclose wherein the instructions cause the processor to normalize component values of the selected color in accordance with a number of bits-per-channel-associated with the authoring environment. Beretta discloses wherein the instructions cause the processor to normalize component values of the selected color in accordance with a number of bits-per-channel-associated with the authoring environment (col. 27:18-63). It would have been obvious to one skilled in the art to which it pertains at the time the invention was made to integrate the teachings of Turpin and Beretta to achieve a system and method wherein normalization occurs prior to color space conversion in order to create a mathematically matching color on the output device.

6. In regards to claim 31, the combination of Turpin and Beretta discloses a computer-accessible medium according to Claim 30, as contained hereinabove. In addition, Turpin discloses wherein the GUI color palette depicts a plane of a multi-dimensional color space predicated upon a dominant color selection such that for each color depicted in the GUI color palette, a component value associated with the dominant color is static and each dimension represents an available range of another color component (§ 0105 where the color selected for processing is the dominant color).

7. In regards to claim 32, the combination of Turpin and Beretta discloses a computer-accessible medium according to Claim 30, as contained hereinabove. In addition, Turpin discloses wherein the GUI color palette depicts a rotatable 3-D rendering of an X-dimensional ($X \geq 6$) color space predicated upon a dominant color selection such that for each color depicted in the GUI color palette, a component value associated with the dominant color is static and each dimension represents an available range of another color component (§§ 0103-0104 discloses rotation).

8. In regards to claim 33, the combination of Turpin and Beretta discloses a computer-accessible medium according to Claim 30, as contained hereinabove. In addition, the combination discloses wherein to normalize the component values of the detected color is to gamma-correct the component values (Beretta: Figure 20, Item 218; col. 34:7-14). It would have been obvious to one skilled in the art to which it pertains at the time the invention was made to integrate the teachings of Turpin and Beretta to utilize a color display using graphical and interactive user interface for assessing and

modifying palettes of colors produce on such systems in order to improve the consumer's ability to determine color selection.

9. In regards to claim 34, the combination of Turpin and Beretta discloses a computer-accessible medium according to Claim 30, as contained hereinabove. In addition, the combination discloses wherein to convert the component values in the standardized reference color coordinate system to corresponding component values in the receiver color coordinate system further is to gamma correct the converted component values in the standardized reference color coordinate system (Beretta: Figure 20, item 218; col. 34:7-14). It would have been obvious to one skilled in the art to which it pertains at the time the invention was made to integrate the teachings of Turpin and Beretta to utilize a color display using graphical and interactive user interface for assessing and modifying palettes of colors produce on such systems in order to improve the consumer's ability to determine color selection.

10. In regards to claim 35, the combination of Turpin and Beretta discloses a computer-accessible medium according to claim 30, as contained hereinabove. In addition, the combination discloses wherein the one or more instructions using the one or more processors to convert the component values in the standardized reference color coordinate system further causes the one or more processors to calculate a minimum average component value if one of the converted component values exceed a range of [0,1] (Beretta: Figure 1, Item 22; col. 41:16-33). It would have been obvious to one skilled in the art to which it pertains at the time the invention was made to integrate the teachings of Turpin and Beretta to utilize a color display using graphical and

interactive user interface for assessing and modifying palettes of colors produce on such systems in order to improve the consumer's ability to determine color selection.

11. In regards to claim 36, the combination of Turpin and Beretta discloses a computer-accessible medium according to Claim 30, as contained hereinabove. In addition, the combination discloses wherein the one or more instructions causing the one or more processors to convert the component values in the standardized reference color coordinate system further causes the one or more processors to default to a next-closest color component value match if one of the converted component values exceed a range of $[0,1]$ (Beretta: col. 41:16-33). It would have been obvious to one skilled in the art to which it pertains at the time the invention was made to integrate the teachings of Turpin and Beretta to utilize a color display using graphical and interactive user interface for assessing and modifying palettes of colors produce on such systems in order to improve the consumer's ability to determine color selection.

12. In regards to claim 37, the combination of Turpin and Beretta discloses a computer-accessible medium according to Claim 36, as contained hereinabove. In addition, the combination discloses wherein the next closest color component value match is determined in accordance with a mathematical projection (Beretta: col. 24:37-47). It would have been obvious to one skilled in the art to which it pertains at the time the invention was made to integrate the teachings of Turpin and Beretta to utilize a color display using graphical and interactive user interface for assessing and modifying palettes of colors produce on such systems in order to improve the consumer's ability to determine color selection.

13. In regards to claim 38, the combination of Turpin and Beretta discloses a computer-accessible medium according to Claim 30, as contained hereinabove. In addition, the combination discloses further comprising one or more instructions causing the one or more processors to indicate that the detected color is invalid and request another color be selected from the GUI color palette if one of the converted component values exceed a range of [0,1] (Beretta: col. 41:16-33). It would have been obvious to one skilled in the art to which it pertains at the time the invention was made to integrate the teachings of Turpin and Beretta to utilize a color display using graphical and interactive user interface for assessing and modifying palettes of colors produce on such systems in order to improve the consumer's ability to determine color selection.

14. In regards to claim 39, the combination of Turpin and Beretta discloses a computer-accessible medium according to Claim 30, as contained hereinabove. In addition, Turpin discloses wherein the standardized reference color coordinate system is a CIE XYZ system (§ 0233).

Conclusion

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alysa N. Brautigam whose telephone number is 571-272-7780. The examiner can normally be reached on 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on 571-272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

anb



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